

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

U HANGING SEVEN RANCH, INC.,
a Montana profit corporations,
QUARTER CIRCLE UU RANCH, a
Montana profit corporation, and CODY
JOHNSON, individually,

Plaintiffs,

vs.

ONEOK ELK CREEK PIPELINE,
L.L.C., a foreign limited liability
company,

Defendant.

CV 22-21-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on Plaintiffs' Motion to Remand (Doc. 6) on August 1, 2022. (Doc. 22). U.S. Magistrate Kathleen DeSoto recommended that the motion be granted pursuant to 28 U.S.C. § 1447(d) based on the forum selection clauses in the parties' underlying contracts. (Doc. 22 at 12).


Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 22) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Plaintiffs’ Motion to Remand (Doc. 6) is GRANTED.

DATED this 9th day of September, 2022.


SUSAN P. WATTERS
United States District Judge